

EXHIBIT D

<p>UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK Case No. 05-44481 (RDD); Adv. Proc. No. 07-02619 (RDD); Adv. Proc. No. 07-02242 (RDD); Adv. Proc. No. 07-02256 (RDD); Adv. Proc. No. 07-02333 (RDD); Adv. Proc. No. 07-02580 (RDD); Adv. Proc. No. 07-02661 (RDD); Adv. Proc. No. 07-02743 (RDD); Adv. Proc. No. 07-02768 (RDD); Adv. Proc. No. 07-02769 (RDD); Adv. Proc. No. 07-02790 (RDD); Adv. Proc. No. 07-02076 (RDD); Adv. Proc. No. 07-02084 (RDD); Adv. Proc. No. 07-02096 (RDD); Adv. Proc. No. 07-02125 (RDD); Adv. Proc. No. 07-02177 (RDD); Adv. Proc. No. 07-02188 (RDD); Adv. Proc. No. 07-02211 (RDD); Adv. Proc. No. 07-02212 (RDD); Adv. Proc. No. 07-02236 (RDD); Adv. Proc. No. 07-02250 (RDD); Adv. Proc. No. 07-02262 (RDD); Adv. Proc. No. 07-02270 (RDD); Adv. Proc. No. 07-02291 (RDD); Adv. Proc. No. 07-02328 (RDD); Adv. Proc. No. 07-02337 (RDD); Adv. Proc. No. 07-02348 (RDD); Adv. Proc. No. 07-02432 (RDD); Adv. Proc. No. 07-02436 (RDD); Adv. Proc. No. 07-02449 (RDD); Adv. Proc. No. 07-02479 (RDD); Adv. Proc. No. 07-02525 (RDD); Adv. Proc. No. 07-02534 (RDD); Adv. Proc. No. 07-02539 (RDD); Adv. Proc. No. 07-02551 (RDD); Adv. Proc. No. 07-02581 (RDD); Adv. Proc. No. 07-02597 (RDD); Adv. Proc. No. 07-02618 (RDD); Adv. Proc. No. 07-02623 (RDD); Adv. Proc. No. 07-02659 (RDD); Adv. Proc. No. 07-02672 (RDD); Adv. Proc. No. 07-02702 (RDD); Adv. Proc. No. 07-02723 (RDD); Adv. Proc. No. 07-02743 (RDD);</p>	<p>1 -----X 2 DELPHI CORPORATION, et al., 3 Plaintiffs, 4 -against- 5 GLOBE MOTORS INC., 6 Defendant. 7 -----X 8 DELPHI CORPORATION, et al., 9 Plaintiffs, 10 -against- 11 PHILIPS SEMICONDUCTOR, et al., 12 Defendants. 13 -----X 14 DELPHI CORPORATION, et al., 15 Plaintiffs, 16 -against- 17 SUMMIT POLYMERS INC., 18 Defendant. 19 -----X 20 DELPHI CORPORATION, et al., 21 Plaintiffs, 22 -against- 23 M & Q PLASTIC PRODUCTS, et al., 24 Defendants. 25 -----X</p>
<p>1 Adv. Proc. No. 07-02744 (RDD); Adv. Proc. No. 07-02750 (RDD); 2 Adv. Proc. No. 07-02188 (RDD) 3 -----X 4 In the Matter of: 5 DPH HOLDINGS CORP., et al., 6 Reorganized Debtors. 7 -----X 8 DELPHI CORPORATION, et al., 9 Plaintiffs, 10 -against- 11 SETECH INC., et al., 12 Defendants. 13 -----X 14 DELPHI CORPORATION, et al., 15 Plaintiffs, 16 -against- 17 DUPONT COMPANY, et al., 18 Defendants. 19 -----X 20 DELPHI CORPORATION, et al., 21 Plaintiffs, 22 -against- 23 ECO-BAT AMERICA LLC, 24 Defendant. 25 -----X</p>	<p>1 -----X 2 DELPHI CORPORATION, et al., 3 Plaintiffs, 4 -against- 5 RSR CORPORATION, et al., 6 Defendants. 7 -----X 8 DELPHI CORPORATION, et al., 9 Plaintiffs, 10 -against- 11 RSR/ECOBAT, 12 Defendant. 13 -----X 14 DELPHI CORPORATION, et al., 15 Plaintiffs, 16 -against- 17 TYCO et al., 18 Defendants. 19 -----X 20 DELPHI CORPORATION, et al., 21 Plaintiffs, 22 -against- 23 AHAUS TOOL & ENGINEERING INC., 24 Defendant. 25 -----X</p>

VERITEXT REPORTING COMPANY

212-267-6868

516-608-2400

1 -----X	1 -----X
2 DELPHI CORPORATION, et al.,	2 DELPHI CORPORATION, et al.,
3 Plaintiffs,	3 Plaintiffs,
4 -against-	4 -against-
5 A I SPECIALIZED SVC & SUPP., INC.,	5 DANOBAT MACHINE TOOL CO. INC.,
6 Defendant.	6 Defendant.
7 -----X	7 -----X
8 DELPHI CORPORATION, et al.,	8 DELPHI CORPORATION, et al.,
9 Plaintiffs,	9 Plaintiffs,
10 -against-	10 -against-
11 A-I SPECIALIZED SERVICES,	11 EDS, et al.,
12 Defendant.	12 Defendants.
13 -----X	13 -----X
14 DELPHI CORPORATION, et al.,	14 DELPHI CORPORATION, et al.,
15 Plaintiffs,	15 Plaintiffs,
16 -against-	16 -against-
17 ATS AUTOMATION TOOLING SYSTEMS INC., et al.,	17 BP, et al.,
18 Defendants.	18 Defendants.
19 -----X	19 -----X
20 DELPHI CORPORATION, et al.,	20 DELPHI CORPORATION, et al.,
21 Plaintiffs,	21 Plaintiffs,
22 -against-	22 -against-
23 CORNING INC., et al.,	23 CARLISLE, et al.,
24 Defendants.	24 Defendants.
25 -----X	25 -----X
5	7
1 -----X	1 -----X
2 DELPHI CORPORATION, et al.,	2 DELPHI CORPORATION, et al.,
3 Plaintiffs,	3 Plaintiffs,
4 -against-	4 -against-
5 CRITECH RESEARCH INC.,	5 GKNS INTERMETALS,
6 Defendant.	6 Defendant.
7 -----X	7 -----X
8 DELPHI CORPORATION, et al.,	8 DELPHI CORPORATION, et al.,
9 Plaintiffs,	9 Plaintiffs,
10 -against-	10 -against-
11 DOSHI PRETTL INTERNATIONAL, et al.,	11 EX-CELL-O MACHINE TOOLS INC.,
12 Defendants.	12 Defendant.
13 -----X	13 -----X
14 DELPHI CORPORATION, et al.,	14 DELPHI CORPORATION, et al.,
15 Plaintiffs,	15 Plaintiffs,
16 -against-	16 -against-
17 D & R TECHNOLOGY LLC, et al.,	17 JOHNSON CONTROLS, et al.,
18 Defendants.	18 Defendants.
19 -----X	19 -----X
20 DELPHI CORPORATION, et al.,	20 DELPHI CORPORATION, et al.,
21 Plaintiffs,	21 Plaintiffs,
22 -against-	22 -against-
23 DSSI, et al.,	23 NILES USA INC., et al.,
24 Defendants.	24 Defendants.
25 -----X	25 -----X
6	8

VERITEXT REPORTING COMPANY

212-267-6868

516-608-2400

1	-----x	1	-----x
2	DELPHI CORPORATION, et al.,	2	DELPHI CORPORATION, et al.,
3	Plaintiffs,	3	Plaintiffs,
4	-against-	4	-against-
5	METHODE ELECTRONICS INC., et al.,	5	WAGNER-SMITH COMPANY,
6	Defendants.	6	Defendant.
7	-----x	7	-----x
8	DELPHI CORPORATION, et al.,	8	DELPHI CORPORATION, et al.,
9	Plaintiffs,	9	Plaintiffs,
10	-against-	10	-against-
11	MICROCHIP,	11	WELLS FARGO BUSINESS, et al.,
12	Defendant.	12	Defendants.
13	-----x	13	-----x
14	DELPHI CORPORATION, et al.,	14	DELPHI CORPORATION, et al.,
15	Plaintiffs,	15	Plaintiffs,
16	-against-	16	-against-
17	HEWLETT PACKARD, et al.,	17	SELECT TOOL & DIE CORP.,
18	Defendants.	18	Defendant.
19	-----x	19	-----x
20	DELPHI CORPORATION, et al.,	20	DELPHI CORPORATION, et al.,
21	Plaintiffs,	21	Plaintiffs,
22	-against-	22	-against-
23	OLIN CORP,	23	SHUERT INDUSTRIES INC.,
24	Defendant.	24	Defendant.
25	-----x	25	-----x
	9		11
1	-----x	1	-----x
2	DELPHI CORPORATION, et al.,	2	DELPHI CORPORATION, et al.,
3	Plaintiffs,	3	Plaintiffs,
4	-against-	4	-against-
5	INTEC GROUP,	5	SUMITOMO, et al.,
6	Defendant.	6	Defendants.
7	-----x	7	-----x
8	DELPHI CORPORATION, et al.,	8	DELPHI CORPORATION, et al.,
9	Plaintiffs,	9	Plaintiffs,
10	-against-	10	-against-
11	VALEO, et al.,	11	TECH CENTRAL,
12	Defendants.	12	Defendant.
13	-----x	13	-----x
14	DELPHI CORPORATION, et al.,	14	DELPHI CORPORATION, et al.,
15	Plaintiffs,	15	Plaintiffs,
16	-against-	16	-against-
17	VANGUARD DISTRIBUTORS,	17	PRUDENTIAL RELOCATION, et al.,
18	Defendant.	18	Defendants.
19	-----x	19	-----x
20	DELPHI CORPORATION, et al.,	20	DELPHI CORPORATION, et al.,
21	Plaintiffs,	21	Plaintiffs,
22	-against-	22	-against-
23	VICTORY PACKAGING, et al.,	23	LDI INCORPORATED,
24	Defendants.	24	Defendant.
25	-----x	25	-----x
	10		12

VERITEXT REPORTING COMPANY

212-267-6868

516-608-2400

1	-----x	1	
2	DELPHI CORPORATION, et al.,	2	RE: ADV. PROC. NO. 07-02619 (RDD):
3	Plaintiffs,	3	HEARING re Setech, Inc.'s Motion to Vacate and to Dismiss
4	-against-	4	(Docket No. 20094)
5	M & Q PLASTIC PRODUCTS, et al.,	5	
6	Defendants.	6	RE: CASE NO. 0544481 (RDD):
7	-----x	7	HEARING re Joinder of E. I. du Pont de Nemours and Company to
8	DELPHI CORPORATION, et al.,	8	Motions (I) to Vacate Prior Orders Establishing Procedures for
9	Plaintiffs,	9	Certain Adversary Proceedings, Including Those Commenced by the
10	-against-	10	Debtors Under 11 U.S.C. Sections 541, 544, 545, 547, 548, or
11	REPUBLIC ENGINEERED PRODUCTS, et al.,	11	549, and Extending the Time to Serve Process for Such Adversary
12	Defendants.	12	Proceedings, (II) Pursuant to Fed. R. Civ. P. 12(b) and Fed. R.
13	-----x	13	Bankr. P. 7012(b) Dismissing the Adversary Proceeding with
14	DELPHI CORPORATION, et al.,	14	Prejudice, or (III) in the Alternative, Dismissing the
15	Plaintiffs,	15	Adversary Proceeding on the Ground of Judicial Estoppel (Docket
16	-against-	16	No. 19999)
17	RIECK GROUP LLC,	17	
18	Defendant.	18	RE: ADV. PROC. NO. 07-02242 (RDD):
19	-----x	19	HEARING re Statement Of E. I. Du Pont De Nemours And Company
20	DELPHI CORPORATION, et al.,	20	And Its Affiliates In Support Of Certain Reply Briefs Filed
21	Plaintiffs,	21	With Respect To Motions (I) To Vacate Prior Orders Establishing
22	-against-	22	Procedures For Certain Adversary Proceedings, Including Those
23	CRITECH RESEARCH INC.,	23	Commenced By The Debtors Under 11 U.S.C. Sections 541, 544,
24	Defendant.	24	545, 547, 548, Or 549, And Extending The Time To Serve Process
25	-----x	25	For Such Adversary Proceedings, (II) Pursuant To Fed. R. Civ.
	13		15
1	U.S. Bankruptcy Court	1	P. 12(b) And Fed. R. Bankr. P. 7012(b), Dismissing The
2	300 Quarropas Street	2	Adversary Proceeding With Prejudice, Or (III) In The
3	White Plains, New York	3	Alternative, Dismissing The Adversary Proceeding On The Ground
4		4	Of Judicial Estoppel (Docket No. 20323)
5	July 22, 2010	5	
6	10:20 AM	6	RE: ADV. PROC. NO. 07-02256 (RDD):
7		7	HEARING re Complaint against Defendant 200A.
8		8	
9	BEFORE:	9	RE: ADV. PROC. NO. 07-02333 (RDD):
10	HON. ROBERT D. DRAIN	10	HEARING re Replies in Support of Motions (I) to Vacate Prior
11	U.S. BANKRUPTCY JUDGE	11	Orders Establishing Procedures for Certain Adversary
12		12	Proceedings, Including Those Commenced by the Debtors Under 11
13		13	USC Sections 541, 544, 545, 547, 548, or 549, and Extending the
14		14	Time to Serve Process for Such Adversary Proceedings, (II)
15		15	Dismissing the Adversary Proceeding with Prejudice, or (III) In
16		16	The Alternative, Dismissing the Adversary Proceeding on the
17		17	Grounds of Judicial Estoppel (Docket No. 20341)
18		18	
19		19	RE: ADV. PROC. NO. 07-02580 (RDD):
20		20	HEARING re Joinder Of Philips Semiconductor, Philips
21		21	Semiconductors, And Philips Semiconductors, Inc (N/K/A NXP
22		22	Semiconductors USA, Inc.) To (I) Reply Memorandum Of Law In
23		23	Support Of Motions Of Affinia, GKN, MSX And Valeo To: (A)
24		24	Vacate Certain Prior Orders Of The Court, (B) Dismiss The
25		25	Complaint With Prejudice; (C) And (D) Dismiss Claims Based On
	14		16

VERITEXT REPORTING COMPANY

212-267-6868

516-608-2400

<p>1 THE COURT: Well, let me make sure I understand what 2 you're saying.</p> <p>3 MR. GOODRICH: Well, that issue's going to come up -- 4 all the issues that are in this motion are going to be -- if 5 the complaint is amended, those issues are still on the table.</p> <p>6 THE COURT: Right.</p> <p>7 MR. GOODRICH: And they'll probably be argued.</p> <p>8 THE COURT: Well, they'll be argued -- I mean, there's 9 been extensive argument on that; I'm not sure whether people 10 need to spend a lot more time arguing them. But they'll be 11 argued in the context of a motion to amend. That's the context 12 there. Of course, if I grant the motion -- if I'm inclined to 13 grant the motion to amend, I still wouldn't grant it if I 14 concluded that I should give people relief on my 4(m) orders.</p> <p>15 MR. GOODRICH: Okay.</p> <p>16 THE COURT: But I could -- I mean, I do this 17 frequently. I give people preliminary thoughts and rulings so 18 that they can adjust their behavior and sometimes their 19 briefing and sometimes their settlements.</p> <p>20 My preliminary view is that people who truly did not 21 get notice of the extension motions can argue their merits on 22 the merits; it's not a Rule 60 requirement. They can argue 23 them as if they were being argued for the first time. But that 24 leaves a factual issue as to who got the notice and who didn't 25 and what did people know. *</p> <p style="text-align: right;">225</p>	<p>1 if it's affecting you directly.</p> <p>2 MR. GOODRICH: Right.</p> <p>3 THE COURT: If you're on the service list and they 4 give you the notice, you've gotten the notice, I think.</p> <p>5 MR. GOODRICH: There's a very different point there. 6 You get a notice today for three years on ECF --</p> <p>7 THE COURT: Well --</p> <p>8 MR. GOODRICH: You're supposed to get a package that 9 says 'I'm in a different group.' That's what the 10 particularized notice tells you.</p> <p>11 THE COURT: I -- that will be another issue we can 12 discuss. I'm not sure it goes that far. What's the point of 13 making it -- I mean, I don't think the debtor's supposed to, in 14 all cases, under that -- that would mean that that order means 15 the debtor has to figure out every possible person who might be 16 affected by this order. And there are a lot of times in 17 bankruptcy cases where that's just impossible.</p> <p>18 So that's really not the case with this really, if I 19 understand that, because the debtor knew who was going to be 20 covered, the 722 people or companies. But I don't think that 21 was what's intended by that provision. I think that the 22 particularized notice means if you don't appear on the service 23 list, you're supposed to get notice of something that affects 24 you directly, like, you know, a landlord, for example, when 25 your lease is being rejected. If you make a demand to be on a</p> <p style="text-align: right;">227</p>
<p>1 And then in arguing on the merits, there may be 2 another notice issue, which is did people have notice during 3 the course of this process. Again, people have argued to me 4 today, and it's a reasonable argument, that there may have been 5 more discretion with the first two orders, for example. If 6 someone had noticed by that time, they may be in a different 7 position.</p> <p>8 And I guess before I get into all of those issues, 9 which may be individual factual issues, I think I really ought 10 to see what the amended complaints look like.</p> <p>11 MR. GOODRICH: Right. Since I'm up here, if I could 12 make a very succinct point about those -- the people who got no 13 notice and the people who received it ECF notice? The case 14 management order said that particularized notice was to be 15 sent; we know it wasn't sent. If you think about that, that's 16 just -- that's not only not notice, that's notice that you're 17 not in the group.</p> <p>18 THE COURT: Each of the motions said they complied 19 with the case management order.</p> <p>20 MR. GOODRICH: Right.</p> <p>21 THE COURT: And I understand that. But in this -- I'm 22 not sure -- you haven't really discussed this, the plaintiffs 23 haven't.</p> <p>24 My understanding of the case management order is that 25 if you're not on the service list, you've got to get the notice</p> <p style="text-align: right;">226</p>	<p>1 service list, you're going to have someone looking at the 2 notice.</p> <p>3 MS. LEE: Your Honor --</p> <p>4 THE COURT: But that's just a preliminary view because 5 we haven't really gotten into that and I was telling you about 6 ruling on this yet, this aspect of it.</p> <p>7 MS. LEE: Your Honor, Cathy Lee. I represent Ambrak 8 Corporation and also Sumitomo Wiring Systems USA. I just 9 wanted to understand, sort of, the figures that Your Honor is 10 laying out to make these sort of formative arguments and 11 actually show what individualized prejudice is. Are you saying 12 that we would do that in response to a motion to amend? And 13 the reason that I ask --</p> <p>14 THE COURT: No -- no. And I understand why you're 15 asking me because I wasn't very clear on it.</p> <p>16 MS. LEE: Okay.</p> <p>17 THE COURT: People are free, in response to a motion 18 to amend the complaint, to raise whatever points people raise in 19 response to motions to amend. That might include things like 20 prejudice and delay and you know, that gets into lack of notice 21 and all of that. It's in the context of a motion to amend. As 22 far as the 4(m) issues are concerned, I'll -- if I'm inclined 23 to grant the motion to amend, I still have to rule on the 4(m) 24 issues because I'm not going to, obviously, give leave to 25 amend, where I concluded that the complaint can't succeed</p> <p style="text-align: right;">228</p>

<p>1 because I would undo my 4(m) orders.</p> <p>2 So those -- but those 4(m) issues are already briefed</p> <p>3 and argued. So I'm not going to have any more argument on them</p> <p>4 in this context. You can raise them in the context of -- to</p> <p>5 the extent that it's appropriate to raise, in the context of a</p> <p>6 motion to amend.</p> <p>7 MS. LEE: Okay.</p> <p>8 THE COURT: And then I -- this is me where I was</p> <p>9 confusing you, I -- pardon me if you hear my rationale for</p> <p>10 setting it up that way. Giving you my preliminary view that I</p> <p>11 probably would not simply say -- at least I don't believe I</p> <p>12 would simply say that everyone gets off scot-free because of</p> <p>13 the movants' arguments under 4(m) and Rule 60 and due process.</p> <p>14 So I would probably -- my inclination at this point,</p> <p>15 but I may change my mind after I review the transcript and look</p> <p>16 at the papers and the briefs again, would be to say that, you</p> <p>17 know, I'd probably have to look at those issues on a case-by-</p> <p>18 case basis to some extent too. I may not on some cases. I</p> <p>19 mean, the motion papers -- the individual movants' motions may</p> <p>20 be strong enough on that issue that I would rule in their</p> <p>21 favor. You know, I confess. You know, there are eighty-some</p> <p>22 motions to dismiss; I concentrated on the global issues which</p> <p>23 is what we've been dealt -- dealing with here. It may be when</p> <p>24 I look at all the pleadings, that there will be any number of</p> <p>25 people who I believe the complaint should be dismissed, even if</p> <p style="text-align: right;">229</p>	<p>1 THE COURT: That would actually be eighty-six motions</p> <p>2 or however many you're up to.</p> <p>3 MR. FISHER: Right -- right. And so we'd be amending</p> <p>4 the complaints with respect to what we've called the first-wave</p> <p>5 dismissal motions.</p> <p>6 THE COURT: Right.</p> <p>7 MR. FISHER: And so I think --</p> <p>8 THE COURT: I -- but frankly, you ought to do it all</p> <p>9 over, right? You know what's going to happen on the second</p> <p>10 wave.</p> <p>11 MR. FISHER: Right but I think -- well -- and this is</p> <p>12 more in the nature of housekeeping --</p> <p>13 THE COURT: Right --</p> <p>14 MR. FISHER: because --</p> <p>15 THE COURT: I'm not trying to be flip. I'm just --</p> <p>16 MR. FISHER: There are already many movants who have</p> <p>17 filed what is now being called second-wave dismissal motions</p> <p>18 and we have a placeholder hearing date at the end of August but</p> <p>19 I think we all recognized that how and when those went forward</p> <p>20 would turn, in large part, on what happened with the first-wave</p> <p>21 dismissal motions and what kind of guidance we got from the</p> <p>22 Court.</p> <p>23 THE COURT: Right.</p> <p>24 MR. FISHER: And so, I think it may make a certain</p> <p>25 amount of sense to essentially designate this -- these eighty-</p> <p style="text-align: right;">231</p>
<p>1 they do plead it correctly, because of a belief that the</p> <p>2 extension order should be undone.</p> <p>3 MS. LEE: The reason I ask this, Your Honor, is</p> <p>4 because for our clients, we actually filed an answer. So I</p> <p>5 doubt that they're going to be trying to amend. So I needed to</p> <p>6 understand whether there's an opportunity for us to give the</p> <p>7 Court the particularized individual case-by-case information</p> <p>8 the Court is saying --</p> <p>9 THE COURT: I --</p> <p>10 MS. LEE: -- would have to be looked at --</p> <p>11 THE COURT: Only in the context of, like, a pretrial</p> <p>12 conference, you know, a discovery conference.</p> <p>13 MS. LEE: Okay. So you're saying other than these</p> <p>14 first-wave motions, there's not an opportunity --</p> <p>15 THE COURT: Well, if you still have time to file them,</p> <p>16 there's a whole set of people who still have time to file</p> <p>17 motions to dismiss. That'd be -- you know, if you still have</p> <p>18 time to file motion to dismiss, you can make one. But --</p> <p>19 MS. LEE: Thank you, Your Honor.</p> <p>20 THE COURT: But if you don't, then I think we're in a</p> <p>21 different phase here, which is the discovery phase.</p> <p>22 MR. FISHER: Your Honor, just in terms of mapping the</p> <p>23 path forward, I understand that the Court anticipates that</p> <p>24 we're going to make a motion to amend the complaints. And</p> <p>25 presumably --</p> <p style="text-align: right;">230</p>	<p>1 plus first-wave motions as the trial balloons that are going to</p> <p>2 give direction to the rest of these cases. Because if we're</p> <p>3 going to set about now, amending eighty-plus complaints and</p> <p>4 then dealing with oppositions to our motion for leave to amend</p> <p>5 and in that context, have the Court resolve all the issues that</p> <p>6 have been raised today as well as potentially, certain other</p> <p>7 issues, it may not make sense to, at the same time, have those</p> <p>8 second-wave dismissal motions go forward. They ought to await</p> <p>9 the motion for leave to amend as well is what I'm saying. I'm</p> <p>10 just trying to -- because there are all these threshold issues</p> <p>11 that are being addressed in comment, I'm just trying to map a</p> <p>12 way forward.</p> <p>13 THE COURT: Well, I think it does make sense for you</p> <p>14 to amend the complaints across the board, including these</p> <p>15 second-wave ones. The second-wave people can respond to that</p> <p>16 by making all of these other arguments too in the context of</p> <p>17 those motions, saying the obvious point which is, from their</p> <p>18 point of view, why commit an order -- why sign an order</p> <p>19 authorizing an amended complaint when the complaint's going to</p> <p>20 be dismissed?</p> <p>21 So I think the real issue is the amount of time that</p> <p>22 would be appropriate for you to amend. I don't know how many</p> <p>23 are involved in the second-wave but how many complaints you</p> <p>24 think they're amending. I don't know what we're talking about.</p> <p>25 It can't be more than 150, right? It's probably less than</p> <p style="text-align: right;">232</p>

VERITEXT REPORTING COMPANY

212-267-6868

516-608-2400